

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

LILLIE BROWN,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACT. NO. 3:21-cv-69-ECM
)	
KILOLO KIJAKAZI,)	
Acting Commissioner of Social Security,)	
)	
Defendant.)	

MEMORANDUM OPINION and ORDER

On October 4, 2021, the Defendant filed a motion for entry of judgment with reversal pursuant to sentence four of 42 U.S.C. § 405(g) with remand for further proceedings. (Doc. 22). The Plaintiff has filed nothing in opposition to the motion. Accordingly, for good cause, it is

ORDERED as follows that:

1. the Defendant's motion for entry of judgment with remand (doc. 22) is GRANTED;
2. the decision of the Commissioner is REVERSED, and this case is REMANDED to the Commissioner for further proceedings; and
3. in accordance with *Bergen v. Comm'r of Soc. Sec.*, 454 F.3d 1273, 1278 n.2 (11th Cir. 2006), the Plaintiff shall have **ninety (90)** days after she receives notice of any amount of past due benefits awarded to seek attorney's fees under 42 U.S.C. § 406(b). *See also Blich v. Astrue*, 261 F. App'x 241, 242 n.1 (11th Cir. 2008).

A separate final judgment will be entered.

Done this 28th day of October, 2021.

/s/ Emily C. Marks
EMILY C. MARKS
CHIEF UNITED STATES DISTRICT JUDGE